Before the Board of Zoning Adjustment, D.C.

PUBLIC HEARING: September 15, 1971

Appeal No. 10903   John M. Mays, Appellant.

THE ZONING ADMINISTRATOR OF THE DISTRICT OF COLUMBIA, Appellee.

On motion duly made, seconded and carried with Messrs. Mackey and Scrivener absent, the following Order of the Board was entered at the meeting of September 21, 1971.

EFFECTIVE DATE OF ORDER: December 9, 1971

ORDERED:

That the appeal for a variance from Section 7502.2 to permit swimming pool in side yard of residence at 4010 - 28th Place, N.W., lot 10, Square 2238, be GRANTED.

FINDINGS OF FACT:

1. The subject property is located in an R-1-A District.
2. The property is improved with a single-family dwelling.
3. Appellant requests a variance from requirement of Section 7502.2 to permit swimming pool in side yard.
4. Appellant stated that house was sited to allow for later addition of swimming pool in side yard as now requested.
5. Appellant at the public hearing assured the Board that all of the water that falls on the pool deck will flow toward 28th Place.
6. No opposition was registered as to the granting of this appeal.

OPINION:

We are of the opinion that the appellant has proved a hardship within the meaning of the variance clause of the Zoning Regulations and that denial of the requested relief will result in peculiar and exceptional practical difficulties and undue hardship upon the owner.

Further we hold that the requested relief can be granted without substantial detriment to the public good and without substantially impairing the intent, purpose and integrity of the zone plan as embodied in the zoning regulations and maps.

BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT

ATTESTED:

By: _____
GEORGE A. GROGAN
Secretary of the Board

THAT THE ORDER OF THE BOARD IS VALID FOR A PERIOD OF SIX MONTHS ONLY UNLESS APPLICATION FOR A BUILDING AND/OR OCCUPANCY PERMIT IS FILED WITH THE DIRECTOR OF INSPECTIONS WITHIN A PERIOD OF SIX MONTHS AFTER THE EFFECTIVE DATE OF THIS ORDER.